

Message Text

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46

ACTION L-03

INFO OCT-01 EUR-25 ISO-00 SCA-01 JUSE-00 DEAE-00 SNM-02

CIAE-00 INR-10 NSAE-00 RSC-01 PRS-01 DRC-01 /045 W

----- 121272

R 020805Z OCT 73

FM AMEMBASSY LISBON

TO SECSTATE WASHDC 8546

INFO AMEMBASSY MADRID

LIMITED OFFICIAL USE LISBON 3613

MADRID FOR DEA

E.O. 11652: N/A

TAGS: CPRS, PFOR, SNAR, PO

SUBJ: EXTRADITION REQUEST

REF: STATE 182292

1. IN RESPONSE TO OUR PRESENTATION, OFFICIAL OF LEGAL/
TREATY AFFAIRS SECTION OF FONOFF MADE FOLLOWING POINTS:

A) PORTUGAL TAKES LEGALISTIC VIEW OF EXTRADITION AND
AS CLAIM IN QUESTION NOT EXTRADITABLE UNDER 1908
CONVENTION NOW IN FORCE, EXTRADITION WOULD NOT BE
POSSIBLE.

B) PORTUGUESE LAW AND PRACTICE (NOT CONSTITUTION) RULES OUT
EXTRADITION OF NATIONAL UNLESS SPECIAL FACTORS (SUCH
AS TREATY) APPLY. THUS UNTIL PENDING TREATY COMES INTO
FORCE PORTUGUESE WOULD NOT EXTRADITE PORTUGUESE NATIONAL.

C) WHILE FONOFF WOULD BE HAPPY TO FORWARD US EXTRAD-
ITION REQUEST TO JUSTICE MINISTRY (WHICH HAS ACTION
ON EXTRADITION CASES) THERE LITTLE REASON TO BELIEVE
EXTRADITION COULD BE EFFECTED.

2. IN VIEW OF THIS RESPONSE, WE SEE LITTLE LIKELIHOOD
THAT GOP WILL GRANT OUR REQUEST, UNTIL PENDING TREATY
COMES IN FORCE.

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POST

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: EXTRADITION
Control Number: n/a
Copy: SINGLE
Draft Date: 02 OCT 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973LISBON03613
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: n/a
From: LISBON
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19731056/aaaabpky.tel
Line Count: 61
Locator: TEXT ON-LINE
Office: ACTION L
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: STATE 182292
Review Action: RELEASED, APPROVED
Review Authority: golinofr
Review Comment: n/a
Review Content Flags:
Review Date: 21 SEP 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <21-Sep-2001 by rowellE0>; APPROVED <28-Nov-2001 by golinofr>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: EXTRADITION REQUEST
TAGS: CPRS, PFOR, SNAR, PO
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005